

## LOOKS DARK FOR BENHAM.

## HE MAY COME TO GRIEF THROUGH DISSEMINATION OF COUNSEL.

Two Pennsylvania and two New York lawyers, and Mark is jealous of the others. A Proposition to Administrator Prussic Acid to Living Animals to Court and Before the Jury.

BATAVIA, N. Y., July 21.—The defendant's case in the Benham murder trial is rapidly drawing to a close, and may be summed up and submitted to the jury on Saturday. As the case drags on it becomes more and more evident each day that Benham has come to grief in the multiplicity of his advisers. Two of the counsel for the defense are Pennsylvania men and two are New York practitioners. Each has made a record for himself in the trial of criminal cases, and each is profoundly jealous of the others. This is especially true in two instances.

Great things were expected of the learned Dr. Richmond. It was said that with his expert knowledge and skill in cross-examination he would have little difficulty in annihilating the testimony given by the witnesses for the people. That he has not done this may be due to the inner workings of the machine for the defense, but the fact remains that since his examination of the first witness Dr. Richmond has had very little to do with the case. The doctor bears the weight of nearly three score and two years on his shoulders, and is a spiritualist of national renown. Since he has been in Batavia he has visited several of the local spiritualists, and this fact has had no little effect in exciting a strong prejudice against him.

Then there is Lawyer Mackey of Buffalo, who is criticized by some as having the ambition to be the "whole thing." Dr. Heinrich Stern, the New York chemist, is highly incensed over a remark addressed to him by Mr. Mackey. Dr. Stern speaks English with a decidedly Teutonic accent. In response to a suggestion of his Mr. Mackey retorted: "Bah! Why don't you talk through your whiskers instead of through your nose?" As a consequence of this remark Dr. Stern refused to testify and returned this afternoon to New York City.

Mr. Scarlett, the other Pennsylvania lawyer, is a prime favorite with everybody. He keeps his head and works from morning to night preparing questions for the experts to answer. The fourth attorney, the New York lawyer, Benham's immediate legal adviser, takes but little part in the examination of the witnesses, leaving this part to the other three.

This condition of affairs makes the outlook still darker for the man who has not only his reputation at stake, but life as well. If the court permits the defense to administer prussic acid to living animals in court before the jury and show them the effects of the poison on the animal, it is not unlikely that Benham will be acquitted. The jury might have been formed by the natural process of decision, but the jury is now administered to Mrs. Benham. This class of evidence, however, in all probability will be objected to by the State.

The experts who were sworn to-day were Dr. A. M. Walton of Bronx, Dr. John A. Miller of Albany, and Dr. J. H. B. Miller of New York. Dr. Miller seriously criticized the analysis made by Dr. Vanderberg of Buffalo of the viscera sent to him by the defense. He said that the temperature under which it was conducted was not correct. He said that the parts, he said, in the saliva, blood, and urine, under high temperature decompose and produce potassium, which yields a reaction similar to prussic acid.

Dr. Walton made a savage attack on the autopsy conducted by the State physician, which, he declared, was managed in an incomplete and shabby manner. He said that, assuming the facts as stated by the State physician, the question put to him to be true and the circumstances surrounding the death of Benham, he did not think her death could have been due to arsenic poisoning.

Mr. Kendrick brought the effect of Dr. Walton's testimony on the cross-examination by showing that there was not the best of feeling between the two witnesses. He said that the State physician had not been treating Benham for a certain disease, but had admitted to the District Attorney that he had never treated Benham for a certain disease.

Dr. Miller took the stand and told about the bottles and papers found by the State physician. He said that one of the bottles, which was produced in court, the chemist said contained a solution of prussic acid. The other bottle contained a solution of prussic acid, and the solution contained about half full of the acid, equal to about fifteen hundredths of a grain.

Mrs. Martin C. Benham, mother of the prisoner, was recalled. She was asked what conversation she had had with Benham before the latter drew her will. The witness said: "A few days prior to the execution of the will I had a conversation with Benham. He told me that he intended to give me a sum of \$1,000, or \$2,000, or \$3,000, or \$4,000, or \$5,000, or \$6,000, or \$7,000, or \$8,000, or \$9,000, or \$10,000, or \$11,000, or \$12,000, or \$13,000, or \$14,000, or \$15,000, or \$16,000, or \$17,000, or \$18,000, or \$19,000, or \$20,000, or \$21,000, or \$22,000, or \$23,000, or \$24,000, or \$25,000, or \$26,000, or \$27,000, or \$28,000, or \$29,000, or \$30,000, or \$31,000, or \$32,000, or \$33,000, or \$34,000, or \$35,000, or \$36,000, or \$37,000, or \$38,000, or \$39,000, or \$40,000, or \$41,000, or \$42,000, or \$43,000, or \$44,000, or \$45,000, or \$46,000, or \$47,000, or \$48,000, or \$49,000, or \$50,000, or \$51,000, or \$52,000, or \$53,000, or \$54,000, or \$55,000, or \$56,000, or \$57,000, or \$58,000, or \$59,000, or \$60,000, or \$61,000, or \$62,000, or \$63,000, or \$64,000, or \$65,000, or \$66,000, or \$67,000, or \$68,000, or \$69,000, or \$70,000, or \$71,000, or \$72,000, or \$73,000, or \$74,000, or \$75,000, or \$76,000, or \$77,000, or \$78,000, or \$79,000, or \$80,000, or \$81,000, or \$82,000, or \$83,000, or \$84,000, or \$85,000, or \$86,000, or \$87,000, or \$88,000, or \$89,000, or \$90,000, or \$91,000, or \$92,000, or \$93,000, or \$94,000, or \$95,000, or \$96,000, or \$97,000, or \$98,000, or \$99,000, or \$100,000, or \$101,000, or \$102,000, or \$103,000, or \$104,000, or \$105,000, or \$106,000, or \$107,000, or \$108,000, or \$109,000, or \$110,000, or \$111,000, or \$112,000, or \$113,000, or \$114,000, or \$115,000, or \$116,000, or \$117,000, or \$118,000, or \$119,000, or \$120,000, or \$121,000, or \$122,000, or \$123,000, or \$124,000, or \$125,000, or \$126,000, or \$127,000, or \$128,000, or \$129,000, or \$130,000, or \$131,000, or \$132,000, or \$133,000, or \$134,000, or \$135,000, or \$136,000, or \$137,000, or \$138,000, or \$139,000, or \$140,000, or \$141,000, or \$142,000, or \$143,000, or \$144,000, or \$145,000, or \$146,000, or \$147,000, or \$148,000, or \$149,000, or \$150,000, or \$151,000, or \$152,000, or \$153,000, or \$154,000, or \$155,000, or \$156,000, or \$157,000, or \$158,000, or \$159,000, or \$160,000, or \$161,000, or \$162,000, or \$163,000, or \$164,000, or \$165,000, or \$166,000, or \$167,000, or \$168,000, or \$169,000, or \$170,000, or \$171,000, or \$172,000, or \$173,000, or \$174,000, or \$175,000, or \$176,000, or \$177,000, or \$178,000, or \$179,000, or \$180,000, or \$181,000, or \$182,000, or \$183,000, or \$184,000, or \$185,000, or \$186,000, or \$187,000, or \$188,000, or \$189,000, or \$190,000, or \$191,000, or \$192,000, or \$193,000, or \$194,000, or \$195,000, or \$196,000, or \$197,000, or \$198,000, or \$199,000, or \$200,000, or \$201,000, or \$202,000, or \$203,000, or \$204,000, or \$205,000, or \$206,000, or \$207,000, or \$208,000, or \$209,000, or \$210,000, or \$211,000, or \$212,000, or \$213,000, or \$214,000, or \$215,000, or \$216,000, or \$217,000, or \$218,000, or \$219,000, or \$220,000, or \$221,000, or \$222,000, or \$223,000, or \$224,000, or \$225,000, or \$226,000, or \$227,000, or \$228,000, or \$229,000, or \$230,000, or \$231,000, or \$232,000, or \$233,000, or \$234,000, or \$235,000, or \$236,000, or \$237,000, or \$238,000, or \$239,000, or \$240,000, or \$241,000, or \$242,000, or \$243,000, or \$244,000, or \$245,000, or \$246,000, or \$247,000, or \$248,000, or \$249,000, or \$250,000, or \$251,000, or \$252,000, or \$253,000, or \$254,000, or \$255,000, or \$256,000, or \$257,000, or \$258,000, or \$259,000, or \$260,000, or \$261,000, or \$262,000, or \$263,000, or \$264,000, or \$265,000, or \$266,000, or \$267,000, or \$268,000, or \$269,000, or \$270,000, or \$271,000, or \$272,000, or \$273,000, or \$274,000, or \$275,000, or \$276,000, or \$277,000, or \$278,000, or \$279,000, or \$280,000, or \$281,000, or \$282,000, or \$283,000, or \$284,000, or \$285,000, or \$286,000, or \$287,000, or \$288,000, or \$289,000, or \$290,000, or \$291,000, or \$292,000, or \$293,000, or \$294,000, or \$295,000, or \$296,000, or \$297,000, or \$298,000, or \$299,000, or \$300,000, or \$301,000, or \$302,000, or \$303,000, or \$304,000, or \$305,000, or \$306,000, or \$307,000, or \$308,000, or \$309,000, or \$310,000, or \$311,000, or \$312,000, or \$313,000, or \$314,000, or \$315,000, or \$316,000, or \$317,000, or \$318,000, or \$319,000, or \$320,000, or \$321,000, or \$322,000, or \$323,000, or \$324,000, or \$325,000, or \$326,000, or \$327,000, or \$328,000, or \$329,000, or \$330,000, or \$331,000, or \$332,000, or \$333,000, or \$334,000, or \$335,000, or \$336,000, or \$337,000, or \$338,000, or \$339,000, or \$340,000, or \$341,000, or \$342,000, or \$343,000, or \$344,000, or \$345,000, or \$346,000, or \$347,000, or \$348,000, or \$349,000, or \$350,000, or \$351,000, or \$352,000, or \$353,000, or \$354,000, or \$355,000, or \$356,000, or \$357,000, or \$358,000, or \$359,000, or \$360,000, or \$361,000, or \$362,000, or \$363,000, or \$364,000, or \$365,000, or \$366,000, or \$367,000, or \$368,000, or \$369,000, or \$370,000, or \$371,000, or \$372,000, or \$373,000, or \$374,000, or \$375,000, or \$376,000, or \$377,000, or \$378,000, or \$379,000, or \$380,000, or \$381,000, or \$382,000, or \$383,000, or \$384,000, or \$385,000, or \$386,000, or \$387,000, or \$388,000, or \$389,000, or \$390,000, or \$391,000, or \$392,000, or \$393,000, or \$394,000, or \$395,000, or \$396,000, or \$397,000, or \$398,000, or \$399,000, or \$400,000, or \$401,000, or \$402,000, or \$403,000, or \$404,000, or \$405,000, or \$406,000, or \$407,000, or \$408,000, or \$409,000, or \$410,000, or \$411,000, or \$412,000, or \$413,000, or \$414,000, or \$415,000, or \$416,000, or \$417,000, or \$418,000, or \$419,000, or \$420,000, or \$421,000, or \$422,000, or \$423,000, or \$424,000, or \$425,000, or \$426,000, or \$427,000, or \$428,000, or \$429,000, or \$430,000, or \$431,000, or \$432,000, or \$433,000, or \$434,000, or \$435,000, or \$436,000, or \$437,000, or \$438,000, or \$439,000, or \$440,000, or \$441,000, or \$442,000, or \$443,000, or \$444,000, or \$445,000, or \$446,000, or \$447,000, or \$448,000, or \$449,000, or \$450,000, or \$451,000, or \$452,000, or \$453,000, or \$454,000, or \$455,000, or \$456,000, or \$457,000, or \$458,000, or \$459,000, or \$460,000, or \$461,000, or \$462,000, or \$463,000, or \$464,000, or \$465,000, or \$466,000, or \$467,000, or \$468,000, or \$469,000, or \$470,000, or \$471,000, or \$472,000, or \$473,000, or \$474,000, or \$475,000, or \$476,000, or \$477,000, or \$478,000, or \$479,000, or \$480,000, or \$481,000, or \$482,000, or \$483,000, or \$484,000, or \$485,000, or \$486,000, or \$487,000, or \$488,000, or \$489,000, or \$490,000, or \$491,000, or \$492,000, or \$493,000, or \$494,000, or \$495,000, or \$496,000, or \$497,000, or \$498,000, or \$499,000, or \$500,000, or \$501,000, or \$502,000, or \$503,000, or \$504,000, or \$505,000, or \$506,000, or \$507,000, or \$508,000, or \$509,000, or \$510,000, or \$511,000, or \$512,000, or \$513,000, or \$514,000, or \$515,000, or \$516,000, or \$517,000, or \$518,000, or \$519,000, or \$520,000, or \$521,000, or \$522,000, or \$523,000, or \$524,000, or \$525,000, or \$526,000, or \$527,000, or \$528,000, or \$529,000, or \$530,000, or \$531,000, or \$532,000, or \$533,000, or \$534,000, or \$535,000, or \$536,000, or \$537,000, or \$538,000, or \$539,000, or \$540,000, or \$541,000, or \$542,000, or \$543,000, or \$544,000, or \$545,000, or \$546,000, or \$547,000, or \$548,000, or \$549,000, or \$550,000, or \$551,000, or \$552,000, or \$553,000, or \$554,000, or \$555,000, or \$556,000, or \$557,000, or \$558,000, or \$559,000, or \$560,000, or \$561,000, or \$562,000, or \$563,000, or \$564,000, or \$565,000, or \$566,000, or \$567,000, or \$568,000, or \$569,000, or \$570,000, or \$571,000, or \$572,000, or \$573,000, or \$574,000, or \$575,000, or \$576,000, or \$577,000, or \$578,000, or \$579,000, or \$580,000, or \$581,000, or \$582,000, or \$583,000, or \$584,000, or \$585,000, or \$586,000, or \$587,000, or \$588,000, or \$589,000, or \$590,000, or \$591,000, or \$592,000, or \$593,000, or \$594,000, or \$595,000, or \$596,000, or \$597,000, or \$598,000, or \$599,000, or \$600,000, or \$601,000, or \$602,000, or \$603,000, or \$604,000, or \$605,000, or \$606,000, or \$607,000, or \$608,000, or \$609,000, or \$610,000, or \$611,000, or \$612,000, or \$613,000, or \$614,000, or \$615,000, or \$616,000, or \$617,000, or \$618,000, or \$619,000, or \$620,000, or \$621,000, or \$622,000, or \$623,000, or \$624,000, or \$625,000, or \$626,000, or \$627,000, or \$628,000, or \$629,000, or \$630,000, or \$631,000, or \$632,000, or \$633,000, or \$634,000, or \$635,000, or \$636,000, or \$637,000, or \$638,000, or \$639,000, or \$640,000, or \$641,000, or \$642,000, or \$643,000, or \$644,000, or \$645,000, or \$646,000, or \$647,000, or \$648,000, or \$649,000, or \$650,000, or \$651,000, or \$652,000, or \$653,000, or \$654,000, or \$655,000, or \$656,000, or \$657,000, or \$658,000, or \$659,000, or \$660,000, or \$661,000, or \$662,000, or \$663,000, or \$664,000, or \$665,000, or \$666,000, or \$667,000, or \$668,000, or \$669,000, or \$670,000, or \$671,000, or \$672,000, or \$673,000, or \$674,000, or \$675,000, or \$676,000, or \$677,000, or \$678,000, or \$679,000, or \$680,000, or \$681,000, or \$682,000, or \$683,000, or \$684,000, or \$685,000, or \$686,000, or \$687,000, or \$688,000, or \$689,000, or \$690,000, or \$691,000, or \$692,000, or \$693,000, or \$694,000, or \$695,000, or \$696,000, or \$697,000, or \$698,000, or \$699,000, or \$700,000, or \$701,000, or \$702,000, or \$703,000, or \$704,000, or \$705,000, or \$706,000, or \$707,000, or \$708,000, or \$709,000, or \$710,000, or \$711,000, or \$712,000, or \$713,000, or \$714,000, or \$715,000, or \$716,000, or \$717,000, or \$718,000, or \$719,000, or \$720,000, or \$721,000, or \$722,000, or \$723,000, or \$724,000, or \$725,000, or \$726,000, or \$727,000, or \$728,000, or \$729,000, or \$730,000, or \$731,000, or \$732,000, or \$733,000, or \$734,000, or \$735,000, or \$736,000, or \$737,000, or \$738,000, or \$739,000, or \$740,000, or \$741,000, or \$742,000, or \$743,000, or \$744,000, or \$745,000, or \$746,000, or \$747,000, or \$748,000, or \$749,000, or \$750,000, or \$751,000, or \$752,000, or \$753,000, or \$754,000, or \$755,000, or \$756,000, or \$757,000, or \$758,000, or \$759,000, or \$760,000, or \$761,000, or \$762,000, or \$763,000, or \$764,000, or \$765,000, or \$766,000, or \$767,000, or \$768,000, or \$769,000, or \$770,000, or \$771,000, or \$772,000, or \$773,000, or \$774,000, or \$775,000, or \$776,000, or \$777,000, or \$778,000, or \$779,000, or \$780,000, or \$781,000, or \$782,000, or \$783,000, or \$784,000, or \$785,000, or \$786,000, or \$787,000, or \$788,000, or \$789,000, or \$790,000, or \$791,000, or \$792,000, or \$793,000, or \$794,000, or \$795,000, or \$796,000, or \$797,000, or \$798,000, or \$799,000, or \$800,000, or \$801,000, or \$802,000, or \$803,000, or \$804,000, or \$805,000, or \$806,000, or \$807,000, or \$808,000, or \$809,000, or \$810,000, or \$811,000, or \$812,000, or \$813,000, or \$814,000, or \$815,000, or \$816,000, or \$817,000, or \$818,000, or \$819,000, or \$820,000, or \$821,000, or \$822,000, or \$823,000, or \$824,000, or \$825,000, or \$826,000, or \$827,000, or \$828,000, or \$829,000, or \$830,000, or \$831,000, or \$832,000, or \$833,000, or \$834,000, or \$835,000, or \$836,000, or \$837,000, or \$838,000, or \$839,000, or \$840,000, or \$841,000, or \$842,000, or \$843,000, or \$844,000, or \$845,000, or \$846,000, or \$847,000, or \$848,000, or \$849,000, or \$850,000, or \$851,000, or \$852,000, or \$853,000, or \$854,000, or \$855,000, or \$856,000, or \$857,000, or \$858,000, or \$859,000, or \$860,000, or \$861,000, or \$862,000, or \$863,000, or \$864,000, or \$865,000, or \$866,000, or \$867,000, or \$868,000, or \$869,000, or \$870,000, or \$871,000, or \$872,000, or \$873,000, or \$874,000, or \$875,000, or \$876,000, or \$877,000, or \$878,000, or \$879,000, or \$880,000, or \$881,000, or \$882,000, or \$883,000, or \$884,000, or \$885,000, or \$886,000, or \$887,000, or \$888,000, or \$889,000, or \$890,000, or \$891,000, or \$892,000, or \$893,000, or \$894,000, or \$895,000, or \$896,000, or \$897,000, or \$898,000, or \$899,000, or \$900,000, or \$901,000, or \$902,000, or \$903,000, or \$904,000, or \$905,000, or \$906,000, or \$907,000, or \$908,000, or \$909,000, or \$910,000, or \$911,000, or \$912,000, or \$913,000, or \$914,000, or \$915,000, or \$916,000, or \$917,000, or \$918,000, or \$919,000, or \$920,000, or \$921,000, or \$922,000, or \$923,000, or \$924,000, or \$925,000, or \$926,000, or \$927,000, or \$928,000, or \$929,000, or \$930,000, or \$931,000, or \$932,000, or \$933,000, or \$934,000, or \$935,000, or \$936,000, or \$937,000, or \$938,000, or \$939,000, or \$940,000, or \$941,000, or \$942,000, or \$943,000, or \$944,000, or \$945,000, or \$946,000, or \$947,000, or \$948,000, or \$949,000, or \$950,000, or \$951,000, or \$952,000, or \$953,000, or \$954,000, or \$955,000, or \$956,000, or \$957,000, or \$958,000, or \$959,000, or \$960,000, or \$961,000, or \$962,000, or \$963,000, or \$964,000, or \$965,000, or \$966,000, or \$967,000, or \$968,000, or \$969,000, or \$970,000, or \$971,000, or \$972,000, or \$973,000, or \$974,000, or \$975,000, or \$976,000, or \$977,000, or \$978,000, or \$979,000, or \$980,000, or \$981,000, or \$982,000, or \$983,000, or \$984,000, or \$985,000, or \$986,000, or \$987,000, or \$988,000, or \$989,000, or \$990,000, or \$991,000, or \$992,000, or \$993,000, or \$994,000, or \$995,000, or \$996,000, or \$997,000, or \$998,000, or \$999,000, or \$1,000,000, or \$1,001,000, or \$1,002,000, or \$1,003,000, or \$1,004,000, or \$1,005,000, or \$1,006,000, or \$1,007,000, or \$1,008,000, or \$1,009,000, or \$1,010,000, or \$1,011,000, or \$1,012,000, or \$1,013,000, or \$1,014,000, or \$1,015,000, or \$1,016,000, or \$1,017,000, or \$1,018,000, or \$1,019,000, or \$1,020,000, or \$1,021,000, or \$1,022,000, or \$1,023,000, or \$1,024,000, or \$1,025,000, or \$1,026,000, or \$1,027,000, or \$1,028,000, or \$1,029,000, or \$1,030,000, or \$1,031,000, or \$1,032,000, or \$1,033,000, or \$1,034,000, or \$1,035,000, or \$1,036,000, or \$1,037,000, or \$1,038,000, or \$1,039,000, or \$1,040,000, or \$1,041,000, or \$1,042,000, or \$1,043,000, or \$1,044,000, or \$1,045,000, or \$1,046,000, or \$1,047,000, or \$1,048,000, or \$1,049,000, or \$1,050,000, or \$1,051,000, or \$1,052,000, or \$1,053,000, or \$1,054,000, or \$1,055,000, or \$1,056,000, or \$1,057,000, or \$1,058,000, or \$1,059,000, or \$1,060,000, or \$1,061,000, or \$1,062,000, or \$1,063,000, or \$1,064,000, or \$1,065,000, or \$1,066,000, or \$1,067,000, or \$1,068,000, or \$1,069,000, or \$1,070,000, or \$1,071,000, or \$1,072,000, or \$1,073,000, or \$1,074,000, or \$1,075,000, or \$1,076,000, or \$1,077,000, or \$1,078,000, or \$1,079,000, or \$1,080,000, or \$1,081,000, or \$1,